

REMARKS/ARGUMENTS

Applicants submit this Second Amendment After Final (“Amendment”), accompanied by a Petition for Extension of Time, in reply to the Advisory Action mailed October 3, 2003, and the Final Office Action mailed April 22, 2003.

In this Amendment, Applicants propose to amend the Abstract of the Disclosure. Applicants also propose to amend claims 39 and 76-80 to better define the claimed invention by adding the recitation “wherein edges of circumferentially consecutive deposition sections abut evenly along their entire crown portions extending between the transition regions.” Additionally, Applicants propose to amend claims 39, 46, and 76-80 to better define the claimed invention by amending the recitation “wherein the side portions of each deposition section are each partly overlapped with a side portion of at least one consecutive deposition section” to recite “wherein the side portions of each deposition section partly overlap or are partly overlapped by a side portion of at least one consecutive deposition section.”

Additionally, Applicants propose to amend claims 39 and 76-80 to better define the claimed invention and to improve clarity by amending the recitation “wherein each respective deposition section extends in a substantially U-shaped conformation against a profile in transverse section of the toroidal support or a previously-deposited deposition section, substantially over an entire length of the respective deposition section, to define two side portions and a crown portion, wherein the side portions substantially extend in planes orthogonal to a geometric axis of rotation of the toroidal support at mutually-spaced-apart positions in an axial direction, wherein the crown portion extends in a radially-external position between the side portions” to recite “wherein each respective deposition section extends in a substantially U-

shaped conformation against a profile in transverse section of the toroidal support or a previously deposited deposition section, substantially over an entire length of the respective deposition section, to define: two side portions that substantially extend in planes orthogonal to a geometric axis of rotation of the toroidal support at mutually-spaced-apart positions in an axial direction; a crown portion that extends in a radially external position in a plane substantially parallel to the geometric axis of rotation of the toroidal support; and two mutually-axially-spaced-apart transition regions that are defined between the side portions and the crown portion, respectively.”

Applicants also propose other amendments to claims 39, 46, and 76-80 to improve clarity. Further, Applicants propose to amend claims 41, 45, 47-50, 53-57, 67-69, and 71-75 to improve clarity.

Before entry of this Amendment, claims 39-57 and 67-80 were pending in this application. After entry of this Amendment, claims 39-57 and 67-80 remain pending in this application.

The originally-filed specification, claims, abstract, and drawings fully support the proposed amendments to the Abstract of the Disclosure and claims 39, 41, 45-50, 53-57, 67-69, and 71-80. No new matter was introduced.

In the Office Action, the Examiner rejected claims 39-45, 47-57, and 74-80 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 0,990,392 to Rowley (“Rowley”) taken with U.S. Patent No. 3,356,553 to Frazier (“Frazier”); rejected claims 67-69 under 35 U.S.C. § 103(a) as being unpatentable over Rowley taken with Frazier, and further in view of U.S. Patent No. 3,580,781 to Hollis et al. (“Hollis”); rejected claims 70 and 71 under 35 U.S.C. § 103(a) as being unpatentable over Rowley taken with Frazier, and further in view of U.S.

Patent No. 4,743,322 to Holroyd et al. ("Holroyd I") and U.S. Patent No. 4,983,239 to Holroyd et al. ("Holroyd II"); rejected claims 72 and 73 under 35 U.S.C. § 103(a) as being unpatentable over Rowley taken with Frazier, and further in view of U.S. Patent No. 4,963,207 to Laurent ("Laurent"); and allowed claim 46.

Examiner Interview

Applicants' representative conducted a telephone interview with the Examiner on October 1, 2003. During the interview, the Applicants' representative and the Examiner discussed claims 39 and 76-80; the carcass structures as shown, for example, in Figs. 1, 6, 8, 13, 15, 17, and 18; Rowley and Frazier; and Applicants' arguments in the Amendment After Final filed September 9, 2003. No substantive amendments were proposed. No agreement was reached as to whether any claims were allowable, other than claim 46. The Examiner indicated that he would be mailing an Advisory Action shortly.

Allowed Claim

Applicants gratefully acknowledge the Examiner's statement that claim 46 is allowed.

Section 103(a) Rejections—Independent Claims 39 and 76-80

Applicants submit that independent claims 39 and 76-80, as currently presented, are patentable under 35 U.S.C. § 103(a) over the cited references, including Frazier, Hollis, Holroyd I, Holroyd II, Laurent, Rowley, and the other art of record.

To establish a prima facie case of obviousness under 35 U.S.C. § 103(a) using multiple references, each of three requirements must be met. First, the references, when combined, must teach or suggest all the claim limitations. M.P.E.P. 2143.03 (8th ed., Rev. 1, Feb. 2003). Second, there must be some suggestion or motivation, either in the references themselves or in the

knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. M.P.E.P. 2143.01 (8th ed., Rev. 1, Feb. 2003). Third, there must be a reasonable expectation of success that the proposed combination would work for the intended purpose. M.P.E.P. 2143.02 (8th ed., Rev. 1, Feb. 2003). Moreover, the second and third requirements “must both be found in the prior art, not in applicant’s disclosure.” M.P.E.P. 2143 (8th ed., Rev. 1, Feb. 2003).

In addition to arguments presented in the Amendment After Final filed September 9, 2003, Applicants submit that no proper combination of the cited art teaches or suggests all the elements of independent claims 39 and 76-80, including at least “wherein each respective deposition section extends in a substantially U-shaped conformation against a profile in transverse section of the toroidal support or a previously deposited deposition section, substantially over an entire length of the respective deposition section, to define: two side portions that substantially extend in planes orthogonal to a geometric axis of rotation of the toroidal support at mutually-spaced-apart positions in an axial direction; a crown portion that extends in a radially external position in a plane substantially parallel to the geometric axis of rotation of the toroidal support; and two mutually-axially-spaced-apart transition regions that are defined between the side portions and the crown portion, respectively,” “wherein the crown portions of the deposition sections are arranged consecutively in side-by-side relationship along a circumferential extension of the toroidal support,” and “wherein edges of circumferentially consecutive deposition sections abut evenly along their entire crown portions extending between the transition regions.” For at least this reason, Applicants submit that independent claims 39

and 76-80 are patentable over the cited references, including Frazier, Hollis, Holroyd I, Holroyd II, Laurent, Rowley, and the other art of record.

Section 103(a) Rejections—Dependent Claims

Applicants submit that dependent claims 40-45, 47-57, and 67-75 are patentable over the cited references including Frazier, Hollis, Holroyd I, Holroyd II, Laurent, Rowley, and the other art of record, in particular, at least due to the direct or indirect dependence of claims 40-45, 47-57, and 67-75 from independent claim 39.

Claim Scope

In discussing the specification, claims, abstract, and drawings of the present application in this Amendment, it is to be understood that Applicants are in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification or abstract and/or shown in the drawings. Rather, Applicants believe that Applicants are entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Summary

In summary, Applicants submit that none of the cited references, including Frazier, Hollis, Holroyd I, Holroyd II, Laurent, Rowley, and the other art of record, either alone or in any proper combination, teaches or suggests Applicants' claimed invention.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 39-57 and 67-80 in condition for allowance. Applicants submit that the proposed amendments to the Abstract of the Disclosure do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, because all of the

elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

It is respectfully submitted that the entering of this Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of this Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing amendments and remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of this application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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By: _____

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ABSTRACT OF THE DISCLOSURE

A method of making a tire includes making a carcass structure; applying a belt structure, tread band, and at least one pair of sidewalls; and vulcanizing the tire. Making the carcass structure involves formation of at least one first carcass ply, including preparing and depositing at least one continuous strip element onto a toroidal support in alternating deposition sections. Each deposition section extends in a substantially U-shaped conformation against a profile in transverse section of the toroidal support or a previously deposited deposition section, substantially over an entire length of the section, to define two side portions, a crown portion, and two transition regions defined between the side and crown portions. The crown portions of the deposition sections are arranged consecutively in side-by-side relationship along a circumferential extension of the toroidal support. Edges of circumferentially consecutive deposition sections abut evenly along their entire crown portions extending between the transition regions.